بِسۡمِ ٱللَّهِ ٱلرَّحۡمَٰنِ ٱلرَّحِيمِ

وَإِن جَنَحُواْ لِلسَّلۡمِ فَٱجۡنَحۡ
لَهَا وَتَوَكَّلۡ عَلَى ٱللَّهِۚ

WARFARE IN THE QUR'AN

Dr Joel Hayward

MABDA
English Monograph Series — Book No. 14

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لَهَا وَتَوَكَّلْ عَلَى ٱللَّهِ

And if they incline to peace,
incline thou also to it,
and trust in Allah.

Qur'an
Al-Anfal, 8:61

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Warfare in the Qur'an

A frequently quoted saying, with slight variations, insists that, while not all Muslims are terrorists, all terrorists are Muslims. This is a great untruth. According to be the American Federal Bureau of Investigation, Muslims have not been responsible for the majority of terrorist attacks identified and prevented or committed throughout the world in the last twenty years.[1] Yet it is true that, even before the Bush Administration initiated a concentrated campaign against anti-American terrorists around the world in 2001 — a campaign which quickly came to be known as the War on Terror — several states including America and Israel had already experienced terrorism undertaken unmistakably by Muslims. For example, the bombings of American embassies in Nairobi and Dar es

1 http://www.fbi.gov/stats-services/publications/terrorism-2002-2005/terror02_05. Scroll to the bottom for a chronological list commencing in 1980. Access date: 1 April 2011.

Salaam in 1998 brought Osama bin Laden and Ayman al-Zawahiri to the focused attention of American security services for the first time. These terrorists and their ideological bedfellows embraced an extreme minority opinion within Islam. According to that opinion, militant opposition to any ostensibly oppressive political activity that weakens Islamic states and their interests constitutes a righteous struggle (jihad) on God's behalf (*fi sabil Lillah*, literally "in the path of Allah"). Yet these "jihad*ists*" (a phrase not widely used in those pre-9/11 days) did not garner much public interest until that dreadful day when nineteen of them hijacked four aircraft and carried out history's worst single terrorist attack.

No-one can doubt that Western attitudes towards Islam changed for the worse at that time and have not returned to the way they were before 2001. Among widely held negative views of Islam is a perception (or at least a concern) that, while Western states adhere to the Just War tenets, other states and peoples, particularly Muslims in general and Arabs in particular, have no comparable philosophical framework for guiding ethical behaviour during international disputes and during warfare itself. According to this perception, the Western code of war is based on restraint, chivalry and respect for civilian life, whereas the Islamic Faith contains ideas on war that are more militant, aggressive and tolerant of violence.

This paper analyses the Qur'an and attempts to explain its codes of conduct in order to determine what the Qur'an

actually requires or permits Muslims to do in terms of the use of military force. It concludes that the Qur'an is unambiguous: Muslims are prohibited from undertaking offensive violence and are compelled, if defensive warfare should become unavoidable, always to act within a code of ethical behaviour that is closely akin to, and compatible with, the Western warrior code embedded within the Just War doctrine. This paper attempts to dispel any misperceptions that the Qur'an advocates the subjugation or killing of "infidels" and reveals that, on the contrary, its key and unequivocal concepts governing warfare are based on justice and a profound belief in the sanctity of human life.

The Importance of the Qur'an

Sadly, people do not tend to read the holy scriptures of other faiths so it is not surprising that, although Muslims constitute one-quarter of the world's population[2], very few Muslims have studied the Jewish Tanakh, the Christian Bible or the Hindu Vedas and equally few non-Muslims have taken the time to study the Qur'an. Not many people ever even "dip" into other holy books to get a quick feel for the language,

2 Muslims make up 23 percent of the world's 6.8 billion humans. See the Pew Forum on Religion & Public Life, *Mapping the Global Muslim Population: A Report on the Size and Distribution of the World's Muslim Population* (Washington, DC: Pew Research Center, October 2009), p. 1. Cf.: http://pewforum.org/Mapping-the-Global-Muslim-Population.aspx. Access date: 1 April 2011.

tone and message. Yet, given the geographical location of our major wars throughout the last two decades, the strategic importance of the Middle East, as well as the cultural origin of some recent terrorist groups, it is surprising that very few non-Muslim strategists and military personnel have taken time to read the Qur'an alongside doctrine publications and works of military philosophy. The Qur'an is certainly shorter than Clausewitz's widely read and constantly quoted *Vom Kriege (On War)* and far easier to understand. The Qur'an is a relatively short book of approximately 77,000 words, which makes it about the size of most thrillers or romance novels and roughly half the length of the New Testament or one-seventh the length of the Old.[3] It is not deeply complex in its philosophy or written as inaccessible poetry or mystical and esoteric vagueness.

Muslims understand that the Qur'an was revealed episodically by the angel Jibril (the biblical Gabriel) to Muhammad, a Meccan merchant in what is now Saudi Arabia, through a series of revelations from Allah (Arabic for "the God"), over a period of twenty-three years beginning in the year 610. Muhammad's companions memorised and wrote down the individual revelations almost straight away and compiled them into the Qur'an's final Arabic form

3 The King James Version of the Holy Bible contains 788,280 words: 609,269 in the Old Testament and 179,011 in the New Testament. Cf.: http://www.biblebelievers.com/believers-org/kjv-stats.htm

very soon after his death in 632. That Arabic version has not changed in the last fourteen hundred years. The Qur'an is therefore held by Muslims to be the very words of Allah, recorded precisely as originally revealed through Muhammad. This explains why most of the world's 1.6 billion Muslims[4] endeavour to learn at least the basics of Qur'anic Arabic so that they can read and more importantly hear Allah's literal words as originally revealed. This is also why they consider all translations into other languages to be decidedly inferior to the original Arabic. Muslims usually explain that these translations convey the "meaning" of the revelations, and are therefore still useful, but not the exact word-for-word declarations of Allah.[5]

A fair and open-minded reading of the Qur'an will draw the reader's eyes to hundreds of scriptures extolling tolerance, forgiveness, conciliation, inclusiveness and peace. These are the overwhelming majority of the scriptures and the central thrust of the Qur'anic message. A clear indication of that message is found in the fact that every one of the 114 Surahs (Chapters) of the Qur'an except one opens with a reminder of Allah's loving and forgiving attitude towards humans: ﴾*Bismillahir Rahmanir Rahim (In the name of God the All-Compassionate and the Ever-Merciful)*﴿. Muslims

4 *Mapping the Global Muslim Population.*

5 The very first word revealed to Muhammad was ﴾*Iqra*﴿, which means ﴾recite﴿ and the word Qur'an itself originates from the root word *Qara'a*, which means "to read out" or "to recite".

understand that the compassion and forgiveness extended by God to humans must be mirrored as much as is humanly possible by their compassion and forgiveness to each other.

Yet readers will also find a few scriptures in the Qur'an that seem to be "Old Testament" in tone and message and are more warlike than, for example, Christians are used to reading in the words of Christ and the New Testament writers. Critics of the Qur'an who advance what I consider to be an unsustainable argument that Islam is the world's most warlike major faith — among whom the American scholar and blogger Robert Spencer is both the most prolific and influential[6] — routinely highlight those Qur'anic passages to support their argument that Islam has a clear tendency towards aggressive war, not inclusive peace.[7]

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6 The title of Mr Spencer's most controversial bestseller is: *The Truth About Muhammad, Founder of the World's Most Intolerant Religion* (Washington, DC: Regnery Press, 2006). Spencer's other books include: *Islam Unveiled: Disturbing Questions About the World's Fastest Growing Faith* (New York: Encounter Books, 2002); Ed., *The Myth of Islamic Tolerance: How Islamic Law Treats Non-Muslims* (New York: Prometheus Books, 2005); *The Politically Incorrect Guide to Islam (And the Crusades)*, (Regnery, 2005); *Religion of Peace? Why Christianity Is and Islam Isn't* (Regnery, 2007).

7 Cf. the published works, journalism and internet articles of Daniel Pipes, Benny Morris, David Horowitz, Bernard Lewis, Sam Harris, David Bukay and David Pryce-Jones, among others. I need to make my position clear. As a liberal and an academic I strongly support the liberal arts education model and the enhanced societal contributions made by critically educated minds. At the heart of my philosophy lies a passionate belief in the value of

Such writers commonly focus their attention on a few passages within the Qur'an which seem to suggest that Allah encourages Muslims to subjugate or drive out non-Muslims — and even to take their lives if they refuse to yield. The critics especially like to quote Surah Al-Tawbah (9), Ayah (Verse) 5, which has become known as the "Verse of the Sword" (*Ayat al-Sayf*). This verse explicitly enjoins Muslims to kill ﴾*pagans wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war)*﴿.[8]

dialogue and debate. I therefore do not challenge the right of these scholars and pundits publicly to express their concerns about Islam, even though I do not share them.

8 There are numerous English-language translations of the Qur'an which give slightly different wordings, but the translation that I consider most reliable, easiest to read and closest to the meaning of the Arabic text is: *The Holy Qur'an (English Translation / Irfan-ul-Qur'an)* by Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri (Lahore: Minhaj-ul-Qur'an International, 2006. 2009 edition). I also recommend the readability and reliability of Maulana Wahiduddin Khan's translation, *The Qur'an* (New Delhi: Goodword, 2009). Another very popular modern translation is the so-called "Wahhabi translation": *Interpretation of the Meanings of the Noble Qur'an in the English Language: A Summarized Version of At-Tabari, Al-Qurtubi and Ibn Kathir with Comments from Sahih Al-Bukhari: Summarised in One Volume* by Dr Muhammad Muhsin Khan and Dr Muhammad Taqi-ud-Din Al-Hilali (Riyadh: Darussalam, 1996. Revised edition 2001). It must be pointed out, however, that this easy-to-read translation has not been immune from criticism, particularly with regard to many interpolations that seem to provide a deliberately negative portrayal of Christians and Jews. For that reason I do not use it, and I believe others should read it, should they wish, with this caveat in mind. Cf. Khaleel Mohammed, "Assessing English

The critics often add to their condemnation of the aforementioned Surah Al-Tawbah, 9:5 with equally strong attacks on Surah Al-Tawbah, 9:29. This verse directs Muslims to ﴾*fight those who believe not in Allah and the Day of Judgment*﴿, who do not comply with Muslim laws, as well as those Jews and Christians who reject the religion of Islam and will not willingly pay a state tax after their submission.[9] Many critics assert that this verse directs Muslims to wage war against any and all disbelievers anywhere who refuse to embrace Islam or at least to submit to Islamic rule.[10]

The critics also place negative focus on Surah Al-Baqarah, 2:190-193, which states:

> *Fight in the cause of Allah those who fight you, but do not transgress limits: for Allah loveth not the transgressors. {190} And slay them wherever ye catch them, and turn them out from where they have turned you out; for tumult and oppression are worse than slaugh-*

Translations of the Qur'an," *Middle East Quarterly,* Volume 12 No. 2 (Spring 2005), pp. 59-72.

9 Jizya was a tax levied by the Islamic state on non-Muslims. In return they gained exemption from military service and guarantees of safety within the state. This taxation arrangement, essentially a type of tribute, was a pre-Islamic practice merely continued by the Muslims. Cf. Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins Press, 1955), p. 178.

10 Cf. Ibid., pp. 96, 163; Majid Khadduri, *The Islamic Conception of Justice* (Baltimore: Johns Hopkins University Press, 1984), p. 165. Spencer, ed., *The Myth of Islamic Tolerance,* pp. 43-44.

ter; but fight them not at the Sacred Mosque [Al-Masjid Al-Haram, the sanctuary at Mecca], unless they (first) fight you there; but if they fight you, slay them. Such is the reward of those who suppress faith. {191} But if they cease, then Allah is Oft-forgiving, Most Merciful. {192} And fight them on until there is no more tumult or oppression, and there prevail justice and faith in Allah; but if they cease, let there be no hostility except to those who practise oppression. {193} (Al-Baqarah, 2:190–193)

You could not imagine gentle Buddha or the peaceful, cheek-turning Jesus ever saying such things, the critics of Islam assert, ignoring the heavily martial spirit and explicit violence of some sections of the Old Testament; a revelation passionately embraced in its entirely by Jesus. They also brush off some of Jesus' seemingly incongruous statements as being allegorical and metaphorical — such as Luke 22:36, wherein Jesus encourages his disciples to sell their garments so that they can purchase swords, and Matthew 10:34 ("*Do not think I come to bring peace on earth. I did not come to bring peace, but a sword*").[11]

11 Cf. Spencer, *The Politically Incorrect Guide to Islam,* p. 28. After negatively quoting a statement praising Muhammad as "a hard fighter and a skillful military commander," Samuel P. Huntington writes that "no one would say this about Christ or Buddha." He adds that Islamic doctrines "dictate war against unbelievers … The Koran and other statements of Muslim beliefs contain few prohibitions on violence, and a concept of nonviolence is absent

When they read the Qur'an, the opponents of its message place little importance on the obvious differences of experiences and responsibilities between Jesus and Muhammad. Jesus was the spiritual leader of a small and intimate group of followers at a time of occupation but relative peace and personal security throughout the land. He suffered death, according to the Christian scriptures, but his execution by the Rome-governed state came after a short burst of state anger that actually followed several years of him being able to preach throughout the land without severe opposition and with no known violence. By contrast, the Prophet Muhammad (in many ways like Moses or Joshua) found himself not only the spiritual leader but also the political and legislative leader of a massive community that wanted to be moderate, just and inclusive but suffered bitter organised persecution and warfare from other political entities which were committed to his community's destruction. His responsibilities (including the sustenance, education, governance and physical protection of tens of thousands of children, men and women) were very different.

A double-standard also seems to exist. Many of the scholars and pundits who dislike the fact that Muhammad had to

from Muslim doctrine and practice." Huntington, *The Clash of Civilizations and the Remaking of World Order* (London: Simon & Schuster, 1996), p. 263.

fight military campaigns during his path to peace, and who consider his religion to be inherently martial, overlook the fact that many biblical prophets and leaders — including Moses, Joshua, Samson, David and other Sunday School favourites — were also warriors through necessity. Despite our Children's Book image of these warriors, their actions included frequent killing and were sometimes couched in highly bloodthirsty language. For example, the Book of Numbers (31:15–17) records that Moses ordered war against the Midianites, but was gravely disappointed when, after having slain all the men, his warriors chose not to kill the women. He therefore instructed his warriors to kill every male child and to leave alive no females except virgins, whom the Israelites were allowed to keep as slaves. This hardly fits with our Charlton Heston-esque view of a very popular Jewish and Christian prophet.

It is worth observing that among the scriptures that form the bedrock and bulk of the Judeo-Christian tradition — the Old Testament — one can find numerous verses like these that explicitly advocate (or at least once advocated) large-scale violence incompatible with any codes of warfare that Jews and Christians would nowadays condone. For instance, when Joshua led the Israelites into the Promised Land and promptly laid siege to Jericho, which was the first walled city they encountered west of the Jordan River, "*they destroyed with the sword every living thing in it — men and women,*

young and old, cattle, sheep and donkeys."[12] The lack of what we would today call discrimination between combatants and non-combatants accorded with God's earlier commandment that, in areas which God had set aside for their occupation, the Israelites were to ensure that, "*without mercy,*" they did not leave alive "*anything that breathed*".[13]

The ancient world was certainly brutal at times, with military excesses sometimes involving deliberate widespread violence against whole civilian communities. "It is a wonderful sight," Roman commander Scipio Aemilianus Africanus gushed in 146 B.C. as he watched his forces raze the enemy city of Carthage to the ground following his order that no trace of it should remain. "Yet I feel a terror and dread lest someone should one day give the same order about my own native city."[14]

No-one can doubt that humanity has since made tremendous progress in the way it conceives the purpose and nature of warfare and the role and treatment of non-combatants. Yet we would be wrong to believe that the "Carthaginian approach" has disappeared entirely. The Holocaust of the Jews in the Second World War, one of history's vilest crimes, involved the organised murder of six million Jews by Ger-

12 Joshua 6: 21.

13 Deuteronomy 7: 1-3 and 20: 16-17.

14 Polybius, Histories, XXXVIII.21.

mans and others who considered themselves Christians or at least members of the Christian value system. Other crimes perpetrated by Christians during recent wars have included the (Orthodox Christian) Bosnian Serb massacre of 8,300 Bosnian Muslim men and boys in and around the town of Srebrenica in July 1995.

A fair assessment of historical evidence reveals that Christianity is a faith of justice that cannot reasonably be considered blameworthy in and of itself for the Crusades, the Holocaust, the Srebrenica massacre or the Timothy McVeigh terrorist attack in Oklahoma City in 1995, even though Christians committed those horrendous acts and many others. Similarly, a fair assessment of Islam reveals that it is equally a faith of justice that cannot fairly be seen as blameworthy in and of itself for the Armenian Genocide, the Iran-Iraq War, Saddam Hussein's invasion of Kuwait or the Al-Qaeda attacks on America in 2001, even though Muslims committed those disgraceful deeds. Certainly Islam's framing scriptures, the Qur'an, contains no verses which are as violent as the biblical scriptures quoted above or any Qur'anic verses more violent than those already quoted. In any event, even the most ostensibly violent Qur'anic verses have not provided major Islamic movements, as opposed to impassioned minority splinter groups, with a mandate to wage aggressive war or to inflict disproportionate or indiscriminate brutality.

Understanding Abrogation

While Muslims hold the Qur'an to be God's literal, definitive and final revelation to humankind, they recognise that it is not intended to be read as a systematic legal or moral treatise. They understand it to be a discursive commentary on the stage-by-stage actions and experiences of the Prophet Muhammad, his ever-increasing number of followers and his steadily decreasing number of opponents over the twenty-three year period which took him from his first revelation to his political hegemony in Arabia.[15] Consequently, several legal rulings within the Qur'an emerged or developed in stages throughout that period, with some early rulings on inheritance, alcohol, law, social arrangements and so on being superseded by later passages; a phenomenon known in Arabic as ﴾*naskh*﴿ that the Qur'an itself describes. For example, Surah Al-Baqarah, 2:106 reveals that when Allah developed any particular legal ruling beyond its first revelation and He therefore wanted to supersede the original verses, He would replace them with clarifying verses.

The removal or annulment of one legal ruling by a subsequent legal ruling in some instances certainly does not mean that Muslims believe that all later scriptures automatically cancel out or override everything, on all issues, that had appeared earlier. The Qur'an itself states in several Surahs that

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15 Sohail H. Hashmi, ed., *Islamic Political Ethics: Civil Society, Pluralism, and Conflict* (Princeton: Princeton University Press, 2002), p. 196.

Allah's words constitute a universally applicable message sent down for ⟪*all of mankind*⟫ and that it was a ⟪reminder⟫ with both ⟪*glad tidings and warnings*⟫ to ⟪*all of humanity*⟫.[16] With this in mind, Muslims believe that to ignore scriptures on the basis of a that-was-then-this-is-now reading would be as mistaken as conversely believing that one can gain meaning or guidance from reading individual verses in isolation, without seeing how they form parts of consistent concepts which only emerge when the entire book is studied. Adopting either approach would be unhelpful, self-serving and ultimately misleading. It is only when the Qur'an's key concepts are studied holistically, with both an appreciation of the context of particular revelations and the consistency of ideas developed throughout the book as a whole, that readers will be able to understand the Qur'an's universally applicable ethical system.

Opponents of Islam take a different view. Embracing a view that all later Qur'anic scriptures modify or cancel out all earlier ones, they have devised an unusual narrative. They have routinely argued that, in the early years of his mission while still in his hometown of Mecca, the powerless Muhammad strongly advocated peaceful co-existence with peoples of other faiths, particularly Jews and Christians. Despite mounting resistance and persecution, some of it violent and all of it humiliating, Muhammad had to advo-

16 Surah Saba, 34:28, Surah Al-Zumar, 39:41 and Surah Al-Takwir, 81:27.

cate an almost Gandhian or Christ-like policy of forbearance and non-violence. Then, after he and his followers fled persecution in 622 by escaping to Medina, where they had more chance of establishing a sizeable and more influential religious community, the increasingly powerful Muhammad became bitter at his intransigent foes in Mecca and ordered warfare against them.[17] Finally (the critics claim), following the surprisingly peaceful Islamic occupation of Mecca in 630, the all-powerful Muhammad realised that Jews and others would not accept his prophetic leadership or embrace Islamic monotheism, so he then initiated an aggressive war against all disbelievers.[18] The critics furthermore claim that, because Muhammad did not clarify or change his position before he died two years later, in 632, after Allah's revelation to mankind was complete, the verses encouraging the martial suppression of disbelief (that is, of the disbelievers) are still in force today. These supposedly include the so-called "verse of the sword" of Surah Al-Tawbah, 9:5 (and 29), quoted above and revealed to Muhammad in the year 631.[19] As scholar David Bukay, a strong critic of Islam, wrote:

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17 Spencer, *The Politically Incorrect Guide to Islam,* pp. 24-26. Cf. also: http://www.answering-islam.org/Bailey/jihad.html

18 Cf. David Bukay, "Peace or Jihad: Abrogation in Islam," in *Middle East Quarterly*, Fall 2007, pp. 3-11, available online at:
http://www.meforum.org/1754/peace-or-jihad-abrogation-in-islam. Access date: 1 April 2011.

19 Zakaria Bashier, *War and Peace in the Life of the Prophet Muhammad* (Markfield: The Islamic Foundation, 2006), pp. vii—viii; Khadduri, War and Peace, p. 105.

> Coming at or near the very end of Muhammad's life … [Surah Al-Tawbah, 9] trumps earlier revelations. Because this chapter contains violent passages, it abrogates previous peaceful content.[20]

The critics of Islam who hold this view insist that these warlike verses abrogate (cancel out) the scores of conciliatory and non-confrontational earlier verses which had extolled spiritual resistance (prayer and outreach) but physical non-violence.

They note that Osama bin Laden and other leading radical "Islamists" — who also insist that the later Qur'anic versus on war have cancelled out the earlier peaceful and inclusive verses — have justified their terror attacks on America and other states by quoting from the "verse of the sword" and the other reportedly aggressive scriptures mentioned above.

Bin Laden certainly did draw upon the verse of the sword and other seemingly militant Qur'anic scriptures in his August 1996 "Declaration of War against the Americans occupying the Land of the Two Holy Places"[21] as well as in his February 1998 *fatwa*.[22] The first of these *fatawa* (verdicts) instructed Muslims to kill Americans until they withdrew from their occupation of Saudi Arabia, and the second more

20 Bukay, "Peace or Jihad," cited above.

21 http://www.pbs.org/newshour/terrorism/international/fatwa_1996.html. Access date: 1 April 2011.

22 http://www.pbs.org/newshour/terrorism/international/fatwa_1998.html. Access date: 1 April 2011.

broadly instructed them to kill Americans (both civilians and military personnel) and their allies, especially the Israelis, for their suppression of Muslims and their exploitation of Islamic resources in various parts of the world.

Of course, the obviously partisan Bin Laden was not a cleric, a religious scholar or a historian of early Islam. He was an impassioned, violent and murderous extremist without judgement or moderation. He was not representative of Islamic belief or behaviour and he had no recognised status as an authority in Islamic Sciences that would allow him to issue a *fatwa*. His assertions that the verse of the sword and other martial Qur'anic verses are still in place and universally applicable therefore do not hold a shred of authority or credibility, except perhaps among already-radicalised fanatics who share his worldview and consider him worth following. Thankfully they are very few in number.

Certainly most Islamic authorities on the Qur'an and Prophet Muhammad today, as opposed to scholars from, say, the war-filled medieval period, are firm in their judgement that the most warlike verses in the Qur'an, even those revealed very late in Muhammad's mission, do not cancel out the overwhelming number of verses that extol tolerance, reconciliation, inclusiveness and peace.[23] For example,

23 This is clearly the judgement of prominent intellectual Tariq Ramadan. Cf. his biography, *The Messenger: The Meanings of the Life of Muhammad* (London: Penguin, 2007), p. 91.

according to British scholar Dr Zakaria Bashier (author of many books on early Islam including a thorough analysis of war), all the beautiful verses throughout the Qur'an which instruct Muslims to be peaceful, tolerant and non-aggressive are:

> Muhkam [clear in and of themselves] verses, i.e. definite, not allegorical. They are not known to have been abrogated, so they naturally hold. No reason exists at all to think that they have been overruled.[24]

Bashier adds that even the contextual information revealed within the Qur'an itself will lead readers to the inescapable conclusion that the verse of the sword related only to a particular time, place and set of circumstances, and that, in any event, claims of it superseding the established policy of tolerance are "not borne out by the facts of history."[25] Prolific British scholar Louay Fatoohi agrees, arguing that an "overwhelming number" of Muslim scholars reject the abrogation thesis regarding war. Fatoohi highlights the fact that throughout history the Islamic world has never acted

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24 Bashier, *War and Peace*, p. 284. An interesting introductory book for anyone unfamiliar with Islam is Sohaib Nazeer Sultan's amusingly titled, *The Koran for Dummies* (Hoboken: Wiley, 2004). Sultan makes the same point (pp. 278, 281) that the martial verse and the sword and those like it do not abrogate the more numerous peaceful, tolerant and inclusive verses.

25 Bashier, *War and Peace*, p. 288.

in accordance with this extreme view. Fatoohi observes that Muslims have almost always co-existed very well with other faith communities and that the 1600 million peaceable Muslims in the world today clearly do not accept the view otherwise, if the did, they would all be at war as we speak.[26] Muhammad Abu Zahra, an important and influential Egyptian intellectual and expert on Islamic law, summed up the mainstream Islamic view by rejecting any abrogation thesis pertaining to conflict and stating that "War is not justified … to impose Islam as a religion on unbelievers or to support a particular social regime. The Prophet Muhammad fought only to repulse aggression."[27]

Explaining the Verse of the Sword

It is quite true that, taken in isolation, Surah Al-Tawbah, 9:5 (the verse of the sword) seems an unusually violent pronouncement for a Prophet who had for twenty years preached tolerance, peace and reconciliation. Yet it is equally true that, when read in the context of the verses above and below Surah Al-Tawbah, 9:5, and when the circumstances of its pronouncement by Muhammad are considered, it is not difficult for readers without preconceptions and bias to

26 Louay Fatoohi, *Jihad in the Qur'an: The Truth from the Source* (Birmingham: Luna Plena, 2009). Email from Dr Louay Fatoohi to Dr Joel Hayward, 23 August 2010.

27 Muhammad Abu Zahra, *Concept of War in Islam* (Cairo: Ministry of Waqf, 1961), p. 18, quoted in Hashmi, ed., *Islamic Political Ethics*, p. 208.

understand it more fully. Here is the verse again:

> *But when the forbidden months are past, then fight and slay the pagans wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war).* {5} (Al-Tawbah, 9:5)

The fact that the verse actually starts with the Arabic conjunction "*fa*," translated above as "but," indicates that its line of logic flows from the verse or verses above it. Indeed, the preceding four verses explain the context.

Ayah 1 gives the historical context as a violation of the Treaty of Hudaybiyah, signed in 628 by the State of Medina and the Quraysh tribe of Mecca. In short, this was a peace treaty between Muhammad and his followers and those Meccans who had spent a decade trying to destroy them. Two years after the treaty was signed the Banū Bakr tribe, which had allied with the Quraysh, attacked the Banū Khuza'a tribe, which had joined the side of the Muslims. Muhammad considered the Banū Bakr attack a treaty violation, arguing that an attack on an ally constituted an attack on his own community.[28] Then, following his extremely peaceful seizure of Mecca and his purification of its holy site (he destroyed no

28 Michael Fishbein, trans., *The History of al-Tabari (Ta'rikh al-rusul wa'l-mulūk): Volume VIII: The Victory of Islam* (State University of New York Press, 1997), pp. 162-165; Bashier, *War and Peace*, pp. 224-226.

fewer than 360 idols in the Ka'aba), the Qur'anic revelation contained a very stern warning. (Other sources reveal that Muhammad then explained it publicly from the steps of the Ka'aba and sent out deputies to the regions around Mecca to destroy pagan shrines and idols and utter the warnings to local communities.[29]) The scriptural warning was clear: anyone wanting to undertake polytheistic pilgrimages to Mecca (or immoral rituals within it, such as walking naked around the Ka'aba[30]) in accordance with existing agreements with the Quraysh tribe or with Muhammad's own community should understand that henceforth they would not be permitted to do so. No polytheism (worship of more than one god) and idolatry (worship of any man or object instead of the one god) would ever again be tolerated within Islam's holy city. From that time on it would be a city devoted to Allah alone.[31] As Surah Al-Tawbah, 9:17 and 18 say:

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29 *Tafsir Ibn Kathir,* Volume 4 (Surat Al-A'raf to the end of Surah Yunus) (Riyadh: Darussalam, 2003 ed.), pp. 371-375; Safiur-Rahman Al-Mubarakpuri, *The Sealed Nectar: Biography of the Noble Prophet* (Riyadh: Darussalam, 1979. 2002 ed.), pp. 351-353; Lt. Gen. A. I. Akram, *The Sword of Allah: Khalid bin al-Waleed, His Life and Campaigns* (New Delhi: Adam, 2009), pp. 97-98; Bashier, *War and Peace*, pp. 237-238, 241.

30 *Tafsir Ibn Kathir,* Volume 4, p. 371.

31 W. Montgomery Watt, *Muhammad at Medina* (Oxford University Press, 1956. 2004 Edition), p. 311; Ibn Kathir, *The Life of Muhammad* (Karachi: Darul-Ishaat, 2004), pp. 516, 522; Shaykh Muhammad al-Ghazali, *A Thematic Commentary on the Qur'an* (Herndon: International Institute of Islamic Thought, 2000), p. 182.

It is no longer proper for idolaters to attend Allah's mosques, since they have admitted to their unbelief.... Allah's mosques should be attended only by those who believe in Allah and the Last Day, who observe prayer and give alms and fear none but God.... (Al-Tawbah, 9:17–18)

Ayat 2 and 3 were revealed through Muhammad to give polytheists or idolaters living in Mecca and its environs as well as any polytheistic or idolatrous pilgrims in transit along Muslim-controlled trade and pilgrimage routes a clear warning that they should desist or leave. The scriptures generously included a period of amnesty that would last until the end of the current pilgrimage season. Thus, Arab polytheists and idolaters would gain a four-month period of grace. Ayah 4 makes clear that during that period of amnesty, polytheists or idolaters were to be left untouched so that Muslims would not themselves become promise-breakers, ﴾*so fulfil your engagements with them to the end of the term; for Allah loves the righteous.*﴿ After clarifying that the threatened violence would apply only to those who had ignored the warnings and continued to practice polytheism or idolatry in and around the holy city and its sanctuary, and were still foolish enough not to have left after four months, Ayah 5 — the sword verse — clearly warned them that there would be a violent military purging or purification in which they seriously risked being killed.

Although this is sometimes omitted by critics of the Verse of the Sword, the verse actually has a secondary clause which, after the direction to root out and kill anyone who had ignored the clear and solemn warnings and continued their polytheism or idolatry, enjoined Muslims to remember that they must be merciful, ﴾*to open the way*﴿, to those who repented and accepted their penitent obligations in terms of Islam. Moreover, the Verse of the Sword is immediately followed by an unusually charitable one — again ordinarily left out of Islam-critical treatments — in which any of the enemy who asked for asylum during any coming violence were not only to be excluded from that violence, but were to be escorted to a place of safety.[32]

The rest of Surah Al-Tawbah contains more explanation for the Muslims as to why they would now need to fight, and fiercely, anyone who broke their oaths or violated the sanctity of holy places, despite earlier hopes for peace according to the terms of the Treaty of Hudaybiyah. The "controversial" Ayah 29, which talks of killing polytheists and idolaters, actually comes right after Ayah 28, which speaks specifically about preventing them from performing religious rituals or pilgrimages in or around the newly purified sanctuary in Mecca. Ayah 29 thus also refers to the purification of Mecca and its environs as well as to the need to secure the borders of the Arabian Peninsula from greater

32 Surah 9:6.

external powers which might smother the Islamic *ummah* (community) in its infancy. The rest of Surah Al-Tawbah also apparently contains scriptures relating to the later campaign against Tabūk, when some groups which had treaty obligations with Muhammad broke their promises and refused to join or sponsor the campaign. It is worth noting that, in this context also, Muhammad chose to forgive and impose a financial, rather than physical, penalty upon those who genuinely apologised.[33]

It is clear, therefore, that the Verse of the Sword was a context-specific verse relating to the purification of Mecca and its environs of all Arab polytheism and idolatry so that the sanctuary in particular, with the Ka'aba at its centre, would never again be rendered unclean by the paganism of those locals and pilgrims who had long been worshipping idols (reportedly hundreds of them) there.[34] It was proclaimed publicly as a warning, followed by a period of grace which allowed the wrong-doers to desist or leave the region, and qualified by humane caveats that allowed for forgiveness, mercy and protection. It is thus not bloodthirsty or unjust, as Robert Spencer and his colleagues portray it. Indeed, it is so context-specific that, even if it were still in force — and I share the assessment that it has not abrogated the scriptures

33 *Tafsir Ibn Kathir*, Volume 4, pp. 369ff.; Sayyid Ameenul Hasan Rizvi, *Battles by the Prophet in Light of the Qur'an* (Jeddah: Abul-Qasim, 2002), pp. 126-130.

34 Ibn Kathir, *Life of Muhammad*, pp. 516, 522.

encouraging peace, tolerance and reconciliation — it would only nowadays have any relevance and applicability if polytheists and idolaters ever tried to undertake and re-establish pagan practices in the Saudi Arabian cities devoted only to Allah: Mecca and Medina. In other words, in today's world it is not relevant or applicable.

Critics apparently fail to grasp the specific nature of the context — the purification of Mecca from polytheistic and idolatrous pilgrimages and rituals — and even misquote the famous medieval Islamic scholar Isma'il bin 'Amr bin Kathir al Dimashqi, known popularly as Ibn Kathir. Spencer claims that Ibn Kathir understood the Verse of the Sword to abrogate all peaceful verses ever previously uttered by the prophet.[35] Ibn Kathir said no such thing. He quoted an earlier authority, Ad-Dahhak bin Muzahim, who only stated that the Verse of the Sword cancelled out every treaty which had granted pilgrimage rights to Arab pagans to travel along Islamic routes, enter Mecca and perform unpalatable rituals there.[36] Because this earlier source referred to the Verse of the Sword "abrogating" something, Spencer mistakenly

35 Spencer, *Religion of Peace?*, p. 78.

36 Although Ad-Dahhak bin Muzahim, as quoted by Isma'il ibn Kathir (*Tafsir Ibn Kathir*, Volume 4, p. 377) — sees this as a repudiation of Muhammad's pilgrimage agreements with all pagans, other early sources insist that this was not the case and that it would have reflected intolerance that Muhammad was not known to possess. Rizwi Faizer, "Expeditions and Battles," in Jane Dammen McAuliffe, ed., *Encyclopaedia of the Qur'an* (Leiden and Boston: Brill, 2002), Vol. II, p. 151.

extrapolates this to claim that this one single verse cancelled out all existing inter-faith practices and arrangements and that it forever negatively changed attitudes to non-Muslims in general.

In case any readers are not convinced, there is another verse in the Qur'an — also from the later period of Muhammad's life — which (using words virtually identical to the Verse of the Sword) also exhorted Muslims to ﴾*seize and slay*﴿ wrongdoers ﴾*wherever ye find them*﴿. Yet this verse, Surah Al-Nisa', 4:89, is surrounded by so many other explanatory and qualifying verses that its superficially violent meaning is immediately moderated by its context of tolerance and understanding. First, it threatened violence in self-defence only against those people or groups who violated pacts of peace with the Muslims and attacked them, or those former Muslims ("renegades") who had rejoined the forces of oppression and now fought aggressively against the Muslims. Secondly, it stated that, if those aggressors left the Muslims alone and free to practice their faith, and if they did not attack them, but offered them peaceful co-existence, then Allah would not allow Muslims to harm them in any way, ﴾*Allah hath opened no way for you to war against them*﴿.[37] The verse went even further. It not only offered peaceful co-existence to those who formally made peace with the Muslims, but also to anyone, even backslidden Muslims, who merely chose to stay neutral; that is, who did not take

37 Surah Al-Nisa', 4:90.

either side in the tense relations between the Muslims on the one hand and the Quraysh and their allies on the other.[38]

The Origins of Self-defensive Concepts of War

It is worth remembering that, for the first fourteen years of his public life (from 610 to 624), Muhammad had practiced and proclaimed a policy of peaceful non-resistance to the intensifying humiliation, cruelty and violence that the Quraysh, the dominant tribe of Mecca, attempted to inflict upon him and his fellow Muslims. Throughout that period he had strenuously resisted "growing pressure from within the Muslim ranks to respond in kind" and insisted "on the virtues of patience and steadfastness in the face of their opponents' attacks."[39] The persecution at one point was so severe that Muhammad had to send two groups of followers to seek refuge in Abyssinia. Even after he and the rest of his followers fled the persecution in Mecca and settled in Medina in 622, the developing *ummah* (Islamic community), experienced grave hardship and fear. Some of the non-Muslims in Medina passionately resented the presence of Muslims and conspired to expel them. From Mecca, Abu Safyan waged a relentless campaign of hostility against Muhammad and the Muslims, who had now become a rival power and a threat to his lucrative trade and pilgrimage arrangements. Abu Safyan

38 Fatoohi, *Jihad in the Qur'an*, p. 34.

39 Hashmi, ed., *Islamic Political Ethics*, p. 201.

sought no accommodation with Muhammad. In his mind, and according to the norms of Arabic tribal warfare, the only solution was the *ummah's* destruction.[40]

In 624, two years after the migration of Muslims to Medina — two years in which the Quraysh continued to persecute them and then led armies against them — Muhammad finally announced a revelation from Allah that Muslims were allowed physically to defend themselves to preserve themselves through the contest of arms. Most scholars agree that Surah 22:39 contains that first transformational statement of permission.[41] Including the verses above and below, it says:

> *Verily Allah will defend (from ill) those who believe: verily, Allah loveth not any that is a traitor to faith, or shows ingratitude. {38} To those against whom war is made, permission is given (to fight),*

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40 Armstrong, *Islam*, p. 17.

41 This is certainly the view of the influential eighth-century biographer, Ibn Ishaq: Alfred Gulillaume, trans., *The Life of Muhammad: A Translation of Ibn Ishaq's Sirat Rasūl Allah* (Oxford University Press, 1955. 1967 ed.), p. 212. For modern writers who agree, see: Fatoohi, *Jihad in the Qur'an*, p. 31; Karen Armstrong, *Muhammad: A Biography of the Prophet* (London: Phoenix, 1991. 2001 edition), p. 168; Martin Lings, *Muhammad: His Life based on the Earliest Sources* (London: George Allen & Unwin, 1983. Islamic Texts Society edition, 2009), p. 135; Al-Mubarakpuri, *The Sealed Nectar*, p. 183; Sohail H. Hashmi, "Sunni Islam," in Gabriel Palmer-Fernandez, ed., *Encyclopedia of Religion and War* (London: Routledge, 2004), p. 217. Hashmi, ed., *Islamic Political Ethics*, p. 198.

because they are wronged — and verily, Allah is Most Powerful for their aid. {39} *(They are) those who have been expelled from their homes in defiance of right (for no cause) except that they say, "Our Lord is Allah"* {40} (Al-Hajj, 22:38–40)

These verses continue by pointing out that, had not Allah in previous eras allowed people to defend themselves from the aggression and religious persecution of others, there would surely have been the destruction of ﴿*monasteries, churches, synagogues and mosques, in which the name of Allah is commemorated in abundant measure*﴾. The verses add that Allah will surely aid those who aid him, and that he is truly mighty and invincible.

The references to defending the faithful from harm in Ayah 38, to those on the receiving end of violence in Ayah 39 and those who have been driven from their homes in Ayah 40 reveal very clearly that Allah's permission to undertake armed combat was not for offensive war, but self-defence and self-preservation when attacked or oppressed. Interestingly, it even extols the defence of all houses of worship, including the churches of Christians and the synagogues of Jews.

This permission for self-defensive warfighting (the Arabic word is *qital*, or combat) corresponds precisely with the first Qur'anic passage on war that one reads when one starts from the front cover: Surah Al-Baqarah, 2:190, which, as

quoted above, states: 《*Fight in the cause of Allah those who fight you, but do not transgress limits: for Allah loveth not the transgressors*》. Thus, the purpose of armed combat was self-defence and, even though the need for survival meant that warfare would be tough, combat was to adhere to a set of prescribed constraints.[42] The following verse's instruction to 《*slay them*》 wherever they turn up commences with the conjunction 《*fa*》, here translated as 《*and*》 to indicate that it is a continuation of the same stream of logic. In other words, Muslims were allowed to defend themselves militarily from the forces or armies which were attacking them wherever that happened. Tremendous care was to be taken not to shed blood in the environs of Mecca's sacred mosque, but if Muslims found themselves attacked there they could kill their attackers while defending themselves without committing a sin. This series of verses actually ends with instructions that, if the attackers ceased their attacks, Muslims were not to continue to fight them because Allah is 《*Oft-forgiving, Most Merciful*》.[43] Thus, continued resistance could — and nowadays can — only be a proportionate response to continued serious direct oppression.[44] In every Qur'anic example in which warfighting (*qital*) is encouraged for protection against serious direct oppression or violence,

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42 *Tafsir Ibn Kathir*, Volume 1 (Parts 1 and 2 (Surat Al-Fatihah to Verse 252 of Surat Al-Baqarah)), p. 528.

43 Surah Al-Baqarah, 2:192.

44 Surah Al-Baqarah, 2:193.

verses can be found that stress that, should the wrongdoers cease their hostility, then Muslims must immediately cease their own fighting.

The Qur'anic permission for defensive resistance to attacks or serious direct oppression does not mean that Muhammad enjoyed war, or took pleasure whatsoever in the fact that defensive warfare to protect his *ummah* from extinction or subjugation would involve the loss of even his enemies' lives. He was no warmonger and forgave and pardoned mortal enemies whenever he could. This "reluctant warrior," to quote one scholar, urged the use of non-violent means when possible and, often against the advice of his companions, sought the early end of hostilities.[45] At the same time, in accordance with the revelations he had received, he accepted that combat for the defence of Islam and Islamic interests would sometimes be unavoidable. One of Muhammad's companions remembers him telling his followers not to look forward to combat, but if it were to come upon them then they should pray for safety and be patient.[46]

Critics of Islam are fond of quoting Surahs that seem to reveal a certain savagery that today seems bloodcurdling to them. ﴾*When you meet the unbelievers*﴿, the Qur'an says

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45 Hashmi, ed., *Islamic Political Ethics*, p. 204.

46 *Sahih Al-Bukhari*, 3025, trans. Dr Muhammad Muhsin Khan Vol. 4 Ahadith 2738 to 3648 (Riyadh: Darussalam, 1997), p. 164; Rizwi Faizer, ed., *The Life of Muhammad: Al-Waqidi's Kitab al-Maghazi* (London: Routledge Studies in Classical Islam, 2010), p. 546.

in Surah Muhammad, 47:4, ﴾*strike at their necks until you weaken them [that is, defeat them] and then bind the captives firmly. Thereafter you may release them magnanimously or for a ransom*﴿. In Surah Al-Anfal, 8:12 the Qur'an likewise commands soldiers in battle to strike at necks and fingers. Although these verses may seem out of place in a religious text, they are not out of place within advice given by a military commander before a battle. That was precisely the context of those particular revelations. Muhammad's community had not yet fought a battle or formed an army and those Muslims who were about to become warriors needed to be taught how to kill immediately and humanely. Decapitation, as opposed to wild slashes at limbs or armoured bodies, ensured humane killing instead of ineffective and brutal wounding. Even better, if a soldier could make an enemy drop his weapon by striking at his hands, he might be able to take him prisoner. Having him alive as a captive who could later be freed, even with a wounded hand, was preferable to leaving him as a corpse.

Today all military or security forces in the world teach weapon-handling skills with the same focus. Recruits and officer cadets are taught how to kill or wound on firing ranges where instructors teach them which target areas will bring humane death and which ones will cause someone's incapacitation without death. The two Qur'anic passages mentioned above should be read in that light. Moreover, they do not represent an instruction to all Muslims anytime to kill or

wound all non-Muslims anywhere. That would violate every concept of justice embedded within Islam. The instructions were to one group of Muslims (the nascent *ummah*, which had not yet experienced combat) in anticipation of a specific conflict: the Battle of Badr fought in March 624.

The fact that these combat-related instructions are contained within a religious book which has powerfully clear central messages of forbearance, toleration and inclusiveness is easily explained by the fact that the Qur'an, revealed episodically over decades, was (and is) considered by Muslim's to be God's word. Every revelation on every issue was thus faithfully recorded and retained, including ones dealing with all sorts of things — war, combat, diplomacy, finance, marriage, child-rearing, divorce, death, education, science and so forth — with which the first Muslims had to deal. It is thus a manual for life, with sections on war and combat which are relevant when Muslims go to war for defensive reasons, and on, say, pilgrimage when Muslims go on the Hajj for spiritual fulfilment.

The Qur'an and the Ahadith (the recorded words and actions of Muhammad) show that Muhammad took no pleasure in the fact that — as also taught in later Western Just War theory — the regrettable combatant-versus-combatant violence inherent within warfare would sometimes be necessary in order to create a better state of peace. Explaining to fellow Muslims the need in some situations to undertake combat, Muhammad acknowledged Allah's revelation that

warfare was something that seemed very wrong, indeed a "disliked" activity, yet it was morally necessary and thus morally right and obligatory under some circumstances.[47] Warfare was frightening and dreadful, but in extremis better than continued serious persecution and attack.[48]

Muhammad's greatest triumph — his eventual return to his hometown Mecca in 630 at the head of an army of 10,000 — was itself a bloodless affair marked by tremendous forgiveness and mercy. After his forces entered the city, the panicked Quraysh tribe, which effectively surrendered after realising that resistance to the Muslim army was futile, anticipated that their leaders and warriors would be slain.[49] After all, for two decades they had humiliated, persecuted and tried to assassinate Muhammad and had maltreated and even waged savage war against his followers. Yet, aside from four murderers and serious oath-breakers who were judged to be beyond rehabilitation, Muhammad chose to forgive them all in a general amnesty. There was no bloodbath. He reportedly asked the assembled leaders of Quraysh what fate they anticipated. Expecting death, but hoping for life, they replied: "O noble brother and son of a noble brother! We expect nothing but goodness from you." This appeal must have relieved Muhammad and made him smile. He replied:

47 Surah Al-Baqarah, 2:216 and see Surah Al-Shura, 42:41.

48 Surah Al-Baqarah,2: 191,217, and Al-Nisa', 4:75-78.

49 Bashier, *War and Peace*, pp. 229-233.

"I speak to you in the same words as Yusuf [the biblical Joseph, also one of Islam's revered prophets] spoke unto his brothers. … 'No reproach on you this day.' Go your way, for you are the freed ones."[50] He even showed mercy to Hind bint Utbah, Abu Sufyan's wife, who was under a sentence of death for having horrifically and disgracefully mutilated the body of Muhammad's beloved uncle Hamzah during the Battle of Uhud five years earlier. Utbah had cut open Hamzah's body, ripped out his liver and chewed it.[51] She then reportedly strung the ears and nose into a necklace and entered Mecca wearing it as a trophy of victory. When justice finally caught up with her five years later she threw herself upon Muhammad's mercy. Extending clemency of remarkable depth, Muhammad promised her forgiveness and accepted her into his community.[52]

Proportionate Response, Last Resort and Discrimination

Mercy between humans, based on forgiveness of someone else's acknowledged wrongdoing, was something that Muhammad believed precisely mirrored the divine relationship between the Creator and humans. The concepts of patience, forgiveness and clemency strongly underpinned the early

50 Ibn Ishaq, p. 553; *The History of al-Tabari*, Vol. VIII, p. 182.

51 Ibn Ishaq, p. 385; *The History of al-Tabari*, Vol. VIII, p. 182.

52 Ibn Ishaq, p. 553; *The History of al-Tabari*, Vol. VIII, p. 183.

Islamic practice of warfare. Proportionality — one of the core principals of Western Just War — also serves as a key foundational principle in the Qur'anic guidance on war. Doing no violence greater than the minimum necessary to guarantee victory is repeatedly stressed in the Qur'an, and described as ﴾*not transgressing limits*﴿. So is the imperative of meeting force with equal force in order to prevent defeat and discourage future aggression. Deterrence comes by doing to the aggressor what he has done to the innocent: ﴾*Should you encounter them in war, then deal with them in such a manner that those that [might have intended to] follow them should abandon their designs and may take warning*﴿.[53] With this deterrent function in mind, the Qur'an embraces the earlier biblical revelation to the Israelites, which permits people to respond to injustice eye for eye, tooth for tooth. Yet, like the Christian Gospels, it suggests that there is more spiritual value (bringing "purification") in forgoing revenge in a spirit of charity.[54] This passage, interestingly, is from the same period of revelation as the Verse of the Sword, which further weakens the abrogation thesis mentioned above. Moreover, even on this matter of matching one's strength to the opponent's strength[55], the Qur'an repeatedly enjoins Muslims to remember that, whenever possible, they should

53 Surah Al-Anfal, 8.57.

54 Surah Al-Ma'idah, 5:45.

55 Cf. Surah Al-Baqarah, 2:194.

respond to provocations with patience and efforts to facilitate conciliation. They should avoid fighting unless it becomes necessary after attempts have been made at achieving a peaceful resolution (which is a concept not vastly different from the Western Just War notion of Last Resort) because forgiveness and the restoration of harmony remain Allah's preference.[56]

Dearly wanting to avoid bloodshed whenever possible, Muhammad created a practice of treating the use of lethal violence as a last resort which has been imitated by Muslim warriors to this day, albeit at times with varying emphases.[57] Before any warfighting can commence — except for spontaneous self-defensive battles when surprised — the leader must make a formal declaration of war to the enemy force, no matter how aggressive and violent that enemy is. He must communicate a message to the enemy that it would be better for them to embrace Islam. If they did (and Muhammad liked to offer three days for reflection and decision[58]) then the grievance ended. A state of brotherhood ensued. If the enemy refused, then a proposal would be extended that offered them peace in return for the ending of aggression or disagreeable behaviour and the paying of a tax. If the enemy refused even that offer, and did not cease his wrong-doing,

56 Cf. Surah Al-Shura, 42:40-43.

57 Cf. Khadduri, *War and Peace*, pp. 96-98.

58 Ibid., p. 98.

they forfeited their rights to immunity from the unfortunate violence of war.[59]

Islamic concepts of war do not define and conceptualise things in exactly the same way as Western thinking has done within the Just War framework. Yet the parallels are striking. The reasons for going to war expressed within the Qur'an closely match those within *jus ad bellum*, the Just War criteria which establishes the justice of a decision to undertake combat. The criteria include Just Cause, Proportionality and Last Resort. The behaviour demanded of warriors once campaigning and combat have commenced also closely match those within *jus in bello*, the Just War criteria which establishes the proper behaviour of warriors that is necessary to keep the war just. The Qur'an described this as a prohibition against ﴾*transgressing limits*﴿.[60] Ibn Kathir, a famous and relatively reliable fourteenth-century scholar of the Qur'an, accepts earlier interpretations that the "transgressions" mentioned in the Qur'an refer to "mutilating the dead, theft (from the captured goods), killing women, children and old people who do not participate in warfare, kill-

59 Imam Muhammad Shirazi, *War, Peace and Non-violence: An Islamic Perspective* (London: Fountain Books, 2003 ed.), pp. 28-29.

60 It even applied to the quarrels that the Qur'an criticises most: those between different Muslim groups. If one side aggressively "transgressed beyond bounds," the other side was permitted to fight back in self-defence, but only until the aggressor desisted, at which point war was to end and reconciliation was to occur. Cf. Surah Al-Hujurat, 49:9-10.

ing priests and residents of houses of worship, burning down trees and killing animals without real benefit."[61] Ibn Kathir points out that Muhammad had himself stated that these deeds are prohibited. Another source records that, before he assigned a leader to take forces on a mission, Muhammad would instruct them to fight honourably, not to hurt women and children, not to harm prisoners, not to mutilate bodies, not to plunder and not to destroy trees or crops.[62]

In the year after Muhammad's death in 632, his close friend and successor Abu Bakr, the first Caliph, compiled the Qur'an's and the prophet's guidance on the conduct of war into a code that has served ever since as the basis of Islamic thinking on the conduct of battle. In a celebrated address to his warriors, Abu Bakr proclaimed:

> Do not act treacherously; do not act disloyally; do not act neglectfully. Do not mutilate; do not kill little children or old men, or women; do not cut off the heads off the palm-trees or burn them; do not cut down the fruit trees; do not slaughter a sheep or a cow or a camel, except for food. You will pass by people who devote their lives in cloisters; leave them and their devotions alone. You will come upon people who bring you platters in which are various sorts of food; if you

61 *Tafsir Ibn Kathvr*, Volume 1, p. 528.

62 Shirazi, *War, Peace and Non-violence*, p. 29.

eat any of it, mention the name of God over it.[63]

There is no explicit statement within the Qur'an that defines the difference between combatants and non-combatants during war, so readers might think that any man of fighting age (children, women and the aged having been excluded) is considered fair game. The Qur'an does not allow this. The verses that talk of combat are clear that war is only permissible against those who are waging war; that is, those in combat. Aside from those combatants and anyone acting unjustly to prevent Muslims from practising their faith or trying to violate the sanctity of Islam's holy places, no-one is to be harmed.

The rationale for this is clear. Central to the Qur'anic revelation and stated unequivocally in many passages is the message that the decisions that pertain to life and death are Allah's alone, and that Allah has proclaimed that human life — a ﴾*sacred*﴿ gift — may never be taken without ﴾*just cause*﴿.[64] In the Qur'anic passages narrating the story of Cain and Abel (Surah Al-Ma'idah, 5:27-32, revealed very late in Muhammad's life) one can read an explicit protection of the lives of the innocent. Surah Al-Ma'idah, 5:32 informs us that, if anyone takes the life of another human, unless it is

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63 Hashmi, ed., *Islamic Political Ethics,* p. 211; Fred M. Donner, trans., *The History of al-Tabari (Ta'rikh al-rusul wa'l-mulūk): Volume X: The Conquest of Arabia* (State University of New York Press, 1993), p. 16.

64 Surah Al-An'am, 6:151, 17:33, 25:68.

for murder, aggressive violence or serious persecution, it is as though he has killed all of humanity. Likewise, if anyone saves a life, it is as though he has saved all of humanity. To discourage war, the very next verse is clear: those who undertake warfare against the innocent do not count as innocent, nor do those who inflict grave injustice or oppression upon the innocent. They forfeit their right to what we would nowadays call "civilian immunity," and are liable to be killed in battle or executed if they are caught and have not repented.[65]

Jihad

It should already be clear that, far from serving as the foundation of a callous faith in which human life is not respected, or a bellicose faith in which peace is not desired, the Qur'an presents warfare as an undesirable activity. It should be undertaken only within certain constrained circumstances and in a manner that facilitates the quick restoration of peace and harmony and minimises the harm and destruction that war inevitably brings. An analysis of such matters would not, of course, be complete without making some sense of jihad, that famous word and concept that nowadays is most controversial and misunderstood.

Interestingly, given that jihad is now associated with extremists who are full of hatred, like Osama bin Laden and

65 Surah Al-Ma'idah, 5:33-34.

other terrorists, the Qur'an does not allow hatred to form the basis of a military or other armed response to perceived injustices. It explicitly states that the hatred of others must not make anyone ﴾*swerve to [do] wrong and depart from justice. Be just*﴿.[66] The Qur'an likewise praises those who ﴾*restrain their anger and are forgiving towards their fellow men*﴿.[67] These and other verses communicating the same message are clear enough to prevent crimes perceived nowadays by Muslims from turning them into criminals.[68] They certainly made an impact on Muslims during Muhammad's lifetime. During the Battle of Khandaq in 627, for example, Ali ibn Abi Talib (who later served as Caliph) reportedly subjugated Amr ibn Abd al-Wudd, a powerful warrior of the Quraysh. Ali was about to deal a death blow when his enemy spat in his face. Ali immediately released him and walked away. He then rejoined battle and managed to slay his enemy. When later asked to explain why he had released his foe, Ali replied that he had wanted to keep his heart pure from anger and that, if he needed to take life, he did it out of righteous motives and not wrath.[69] Even if the verity of this story is impossible to demonstrate (it is first found in a thirteenth-century Persian Sufi poem), its survival and popularity attest to the perceived

66 Surah Al-Mai'dah, 5:8 (and see Al-Ma'idah, 5:2).

67 Surah Aal-'Imran, 3:134.

68 Fatoohi, *Jihad in the Qur'an*, p. 73.

69 *Mathnawi* I: 3721ff. published online at:
http://www.dar-al-masnavi.org/n-I-3721.html

importance within Islam of acting justly at all times, even during the heightened passions inevitable in war.

Despite some popular misperceptions that jihad is based on frustration or anger that many non-Muslims consciously reject the faith of Islam, the Qur'an is quite clear that Islam can be embraced only by those who willingly come to accept it. Islam cannot be imposed upon anyone who does not. Surah Al-Baqarah, 2:256 is emphatic that there must be ﴾*no compulsion in religion.*﴿ Truth is self-evident, the verse adds, and stands out from falsehood. Those who accept the former grasp ﴾*the most trustworthy hand-hold that never breaks*﴿. Those who accept falsehood instead will go forth into "the depths of darkness": the same hell that Christ had preached about. The fate of individuals, based on the choice they make, is therefore Allah's alone to decide. The Qur'an repeats in several other verses that coerced religion would be pointless because the submission of the heart wanted by Allah would be contrived and thus not accepted as genuine. When even Muhammad complained that he seemed to be surrounded by people who would not believe, a divine revelation clarified that Muslims were merely to turn away from the disbelievers after saying ﴾*peace*﴿ to them ﴾*for they shall come to know*﴿.[70] The Qur'an itself enjoins believers to invite disbelievers ﴾*to the Way of thy Lord with wisdom and beautiful preaching; and argue with them in ways that are best*

70 Surah Al-Zukhruf, 43:88-89.

and most gracious ... if ye show patience, that is indeed the best (cause) for those who are patient.... For Allah is with those who restrain themselves, and those who do good﴿."[71] At no point in Muhammad's life did he give up hope that all peoples would want to get along harmoniously. Despite his grave disappointment whenever communities competed instead of cooperated, in one of his later public sermons he revealed the divine message that Allah had made all of mankind ﴾*into nations and tribes, that ye may know each other (not that ye may despise each other)*﴿.[72]

This desire for tolerant coexistence even included other faiths and Muhammad never stopped believing in the commonality of belief between Muslims and the God-fearing among those who identified themselves as Jews and Christians (*Ahl al-Kitab*, the People of the Book). They shared the same prophetic line of revelation, after all. Despite rejection by several powerful Jewish tribes, and frustration over trinitarian concepts, Muhammad remained convinced that the Jewish and Christian faith communities (as opposed to some individual tribes which acted treacherously) were eminently acceptable to Allah if they followed their own scriptures. Verses saying precisely this were revealed very close in time to the Verse of the Sword. The verses encourage the

71 Surah Al-Nahl, 16:125-128.

72 Surah Al-Hujurat, 49:13. The clause in parentheses is a contextual explanation by the translator.

Jews and Christians to believe (submit to God) and act faithfully according to their own scriptures, the Torah and the Gospel. The verses state that, if they do so, they, along with Muslims (fellow submitters[73]), will have no need to fear or grieve.[74] The revelation of these religiously inclusive verses late in Muhammad's life further undermines the thesis that the verses revealed late in his life undid all of the inter-faith outreach that Muhammad had preached years earlier.

So what, then, is jihad and why does it seem so threatening? The answer is that jihad, far from meaning some type of fanatical holy war against all unbelievers, is the Arabic word for "exertion" or "effort" and it actually describes any Muslim's struggle against the things that are ungodly within him or her and within the wider world. One major form of jihad is the Muslim's struggle against his or her "*nafs*": an Arabic word that may be translated as the "lower self" and refers to the individual's ego, carnal nature and the bad habits and actions that come from failure to resist temptation or desire.[75] For example, a Muslim who consciously strives to break the habit of telling white lies, or the drinking of alcohol, or who struggles against a bad temper, is involved quite properly in a jihad against those unfortunate weaknesses. In Surah Al 'Ankabut, 29:6 the Qur'an explains this by pointing out

73 Surah Al-Baqarah, 2:62.

74 Surah Al-Ma'idah, 5:69.

75 Fatoohi, *Jihad in the Qur'an*, pp. 25-26.

that the striving (jihad) of individuals against their personal ungodliness will bring personal, inner (that is, spiritual) growth. Yet the very next verse goes further by exhorting believers not only to work on their personal faith, but also to do ﴿*good deeds*﴾ to others. Devoting time and giving money to the welfare of the poor and needy (of all communities, not just Muslims), and to the upkeep and governance of the *ummah*, is mentioned in several scriptures as this type of divinely recommended effort (jihad). Winning souls to Islam through peaceful preaching is likewise a worthy effort. Muhammad himself revealed a divine exhortation to ﴿*strive*﴾ with ﴿*all effort*﴾ (in Arabic it uses two forms of the same word jihad) using the powerful words of the Qur'an to convince unbelievers.[76]

Jihad is also used in the Qur'an to mean physical defensive resistance to external danger. It appears in thirty verses, six of them revealed during Muhammad's years in Mecca and twenty-four revealed during the years of armed attack by the Quraysh tribe and its allies and then the protective wars to create security within and around the Arabian Peninsula.[77] Critics of Islam claim that this ratio reveals that jihad and *qital* (warfighting) are effectively synonymous regardless of context. This is incorrect. The struggle against ego and personal vice is a greater, non-contextual and ever-required

76 Surah Al-Furqan, 25:52.

77 Fatoohi, *Jihad in the Qur'an*, p. 87.

struggle, as Muhammad revealed. After returning from a battle he told his supporters: “You have come back from the smaller jihad to the greater jihad.” When asked what the greater jihad was, Muhammad replied: “The striving of Allah’s servant against his desires” (“*mujahadat al-‘abd lihawah*”).[78]

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78 This Hadith is found in the book *Kitab al-Durar al-Muntathira fi al-Ahadith al-Mushtahira* for Jalal al-Deen al-Suyuti. This Hadith is found in the book Kitab al-Durar al-Muntathira fi al-Ahadith al-Mushtahira for Jalal al-Deen al-Suyuti. The full reference says:

حديث رجعنا من الجهاد الأصغر إلى الجهاد الأكبر قالوا وما الجهاد الأكبر ؟ قال: جهاد القلب، قال الحافظ ابن حجر في "تسديد القوس" هو مشهور على الألسنة وهو من كلام إبراهيم بن أبي عبلة في "الكنى" للنسائي. انتهى. وأقول وروى الخطيب في "تاريخه" من حديث جابر قدم النبي صلى الله عليه وسلم من غزاة له فقال لهم رسول الله صلى الله عليه وسلم قدمتم خير مقدم وقدمتم من الجهاد الأصغر إلى الجهاد الأكبر، قالوا: وما الجهاد الأكبر يا رسول الله؟ قال مجاهدة العبد هواه.

[The entry of the] the hadith “We have come from the smaller jihad to the greater jihad. They said: What is the greater jihad? He said: The jihad of the heart. “The memorizer [of the Qur’an] Ibn Hijr [presumably he means “Al-‘Asqalani”] in [his book] “*Taqsdid al-Qaws*”: “This is famous among people. It is a saying by Ibrahim bin Abi ‘Ubla in [book] “Al-Kuna of Nassa’i.” End of quotation. I [Suyuti] say. Al-Khatib related in his “History” a hadith attributed to Jabir in which he said: “The Prophet (prayer and peace be upon him) came back from a battle so the Messenger of Allah the Prophet (prayer and peace be upon him) said to them: “You have come forth in the best of coming forth, and you have come from the smaller jihad to the greater jihad”. They said: “What is the greater jihad?”. He said: “The striving of Allah’s servant against his desires (*mujahadat al-‘abd lihawah*)”. My sincere thanks to Louay Fatoohi.

Moreover, the Verse of the Sword and the other supposedly bloody verses quoted in this article do not use the word "jihad" for the recommended defensive warfighting. They use "*qital,*" which simply means fighting or combat. Yes, *qital* is permitted as part of a defensive struggle against serious oppression or persecution, but that does not mean that all jihad is fighting. That would be using logic similar to saying that, because all fox terriers are dogs, all dogs are fox terriers. All lawful *qital* is jihad — a legitimately approved and rigorously constrained military struggle against evil — but not all jihad (or even much of it or the "greater" type) is warfare. Questions about who can legitimately call for or initiate *qital* as part of any jihad, in a world which no longer has caliphs leading the *ummah*, are debated by Islamic scholars, with a vast majority arguing that only state leaders in Islamic (or Muslim-majority) lands would be legitimately able to do so if a genuine just cause emerged. The fact that fatawa and other calls for fighting made in recent years by Al-Qaeda and Taliban leaders have not been accepted by the overwhelming majority of the world's 1.6 billion Muslims is a clear sign that few Muslims see them as legitimate leaders or agree that armed fighting would be a just and appropriate response to the alleged grievances.

Interestingly, all the verses mentioning jihad as armed struggle in defence of the Islamic people and polity are exhortative in nature: with pleas for effort, urgings of courage and a fighting spirit, assurances of victory and promises of

eternal rewards for those who might die in the service of their community. This emphasis reveals that Muhammad recognised that wars were so unpalatable to his peace-loving community that, even though the causes of Muslim warfighting were just, he had to go to extra lengths — much as Winston Churchill did during the dark days of the Second World War — to exhort frightened or weary people to persevere, to believe in victory and to fight for it. On 4 June 1940 Churchill gave a magnificent speech to inspire the British people to continue their struggle against the undoubted evils of Nazism, even though the German armed forces then seemed stronger and better in battle. His speech includes the fabulous warlike lines:

> We shall fight on the seas and oceans. We shall fight with growing confidence and growing strength in the air, we shall defend our Island, whatever the cost may be. We shall fight on the beaches. We shall fight on the landing grounds. We shall fight in the fields and in the streets. We shall fight in the hills. We shall never surrender.[79]

No-one would dream of calling Churchill warmongering, much less murderous. Muhammad's exhortations for

79 http://www.winstonchurchill.org/learn/speeches/speeches-of-winston-churchill/1940-finest-hour/128-we-shall-fight-on-the-beaches

Muslims to do their duty — a phrase used by Churchill in that speech and others — and to struggle against the threat of defeat at the hands of the Muslims' enemies are best seen in the same light. Indeed, most of the verses which urge *qital* as part of the struggle (jihad) against enemies relate to the self-defensive wars mentioned above, with the remaining verses relating to the broader need to protect the nascent *ummah* from both the local spiritual pollution of intransigent Arab polytheism and idolatry as well as the external threat to unsafe borders around the perimeter of the *ummah*. No verses in the Qur'an encourage or permit violence against innocent people, regardless of faith, and no verses encourage or permit war against other nations or states that are not attacking the Islamic *ummah*, threatening its borders or its direct interests, or interfering in the ability of Muslims to practice their faith. Armed effort against any states that might do those oppressive things would still be permitted to this day, at least according to a fair reading of the Qur'an[80] — just as it is within Western Just War theory. Yet such a situation would involve a very different set of circumstances to those existing in the world today; those which somehow wrongly prompted a very small number of radicalised terrorists to undertake aggressive and offensive (not justly motivated and defensive) struggles. Their reprehensible actions, especially those that involve the taking of innocent

80 Cf. Chapter V in Khadduri, *War and Peace*.

lives, fall outside the behaviours permitted by a reasonable reading of the Qur'an.

Conclusion

This paper is not an attempt at religious apologetics. It is written by a scholar of military strategy and ethics for a general audience in an endeavour to demonstrate that the world's second largest religion (only Christianity has more adherents) includes at its core a set of scriptures that contains a clear and very ethical framework for understanding war and guiding the behaviour of warriors. That framework only supports warfare when it is based on redressing substantial material grievances (especially attack or serious direct persecution), when it occurs after other means of addressing the grievances have been attempted, and when it includes the cessation of hostilities and the restoration of peace as soon as a resolution has been attained. It demands of warriors that they uphold the concepts of proportionality (doing no more harm than is necessary) and discrimination (directing violence only at combatants whilst minimising harm to civilians and their possessions and infrastructure). That framework is very compatible with the Western Just War philosophy that, for example, gave a moral underpinning to the United Kingdom's war against Argentinean troops occupying the Falkland Islands in 1982, the US-led Coalition's eviction of Saddam Hussein's troops from Kuwait in 1991, and NATO's seventy-eight day air war against Slobodan

Milošević's Yugoslavia in order to protect Kosovars from ethnic violence in 1999.

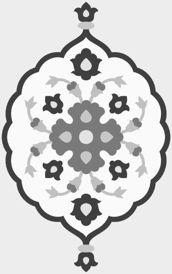
So, then, if the Qur'an itself condemns any violence that exceeds or sits outside of the framework for justice revealed within its verses, how can we explain the barbarous 9/11 attacks, the home-grown 7/7 attacks and other suicide-bombing attempts within our country and the murder of civilians by terrorists in other parts of the world who claim to act in the name of Islam? British scholar Karen Armstrong answered this obvious question so succinctly in the days after 9/11 that her words make a fitting conclusion to this article. During the twentieth century, she wrote, "the militant form of piety often known as fundamentalism erupted in every major religion as a rebellion against modernity." Every minority fundamentalist movement within the major faiths that Armstrong has studied "is convinced that liberal, secular society is determined to wipe out religion. Fighting, as they imagine, a battle for survival, fundamentalists often feel justified in ignoring the more compassionate principles of their faith. But in amplifying the more aggressive passages that exist in all our scriptures, they distort the tradition."[81] Armstrong is correct, but her word "distort" is too weak for Al-Qaeda-style terrorists. They have not merely distorted

81 Karen Armstrong, "The True, Peaceful Face of Islam" Time, 23 September 2001, available online at: http://www.time.com/time/magazine/article/0,9171,1101011001-175987,00.html. Access date: 1 April 2011.

the Qur'anic message; they have entirely perverted it and in the process created additional unhelpful hostility towards Islam — a faith of justice which seeks to create peace and security for its believers and a state of harmony and peaceful co-existence with other faiths.

About the Author

Dr Joel Hayward is the Dean of the Royal Air Force College and a Director of the Royal Air Force Centre for Air Power Studies. He is also the Head of King's College London's Air Power Studies Division. Dr Hayward is the author or editor of eight books as well as many peer-reviewed book chapters and journal articles, some of which have appeared in German, Russian, Portuguese, Spanish and Serbian translations. He lectures widely throughout Europe, the Middle East, Asia and beyond on various political, defence and security topics. He also frequently teaches and writes on Islam, war and justice and speaks at anti-radicalisation workshops. He is a member of the British Armed Forces Muslim Association and serves as Strategic Policy Advisor to Shaykh Dr Muhammad Tahir-ul-Qadri and the international Minhaj-ul-Qur'an welfare, human-rights and education organisation that Dr Qadri heads. Unusually for a social scientist, he is also active in the literary arts and has published both fiction and poetry. His second collection of poetry, titled *Splitting the Moon: A Book of Islamic Poetry*, is due out in 2012. He writes regular columns in Emel and other Islamic magazines.



Warfare in the Qur'an

Dr Joel Hayward

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